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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,285	12/05/2001	Hideto Miyazaki	0925-0190P-SP	2135

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EXAMINER	
ZEWDU, MELESS NMN	
ART UNIT	**PAPER NUMBER**
2617	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/002,285	MIYAZAKI ET AL.	
	Examiner	Art Unit	
	Meless N. Zewdu	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 August 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication 8/7/06.

2. Claim 2 had been cancelled in a previous amendment.

3. Claims 1 and 3-15 are pending in this action.

4. This action is final.

Information Disclosure Statement

The information disclosure statement filed 2/5/01and 5/29/03 fails to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al, (Anderson) (US 6,148,198) in view of Hunzinger et al. (Hunzinger) (US 6,748,217 B1) and furhter in view of Mansfield (US 6,556,825 B1).

As per claim 1: Anderson discloses a radio communication device (abstract, fig. 2) comprising:

b) a memory (see fig. 2, elements 44 and 38) having previously stored therein information of a plurality of domains and radio communication system information corresponding to said plurality of domains (see abstract; fig.2; elements 44 and 38; col. 4, lines 33-46). The service provider identifier represents a domain.

a selection unit for selecting a radio communication system corresponding to a domain from the plurality of domains, and said domain information stored in said memory and the radio communication system information corresponding to said domain(see abstract, lines 11-16).

a radio communication unit (for performing at least transmissions on the basis of said radio communication system selected by the selection unit (see abstract, lines 11-16; col. 2, lines 34-40). But, Anderson does not explicitly teach about a position

detector for detecting the current position of a radio communication device based on which the selection unit selects a radio communication system/domain, as claimed by applicant. However, in a related field of endeavor, Hunzinger teaches about a mobile unit which determines its geographic position and based on the determined position selects a service provider/domain (see entire document, particularly abstract). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Anderson with that of Hunzinger for the advantage of enabling a mobile station/terminal limit the number of systems required for searching, based on the geographic position of the mobile station (see col. 1, lines 58-63). But, Anderson in view of Hunzinger do not explicitly teach abut a radio communication device, wherein said domain information are country domain information or administrative division domain information in individual countries, as claimed by applicant. However, in a related field of endeavor, Mansfield teaches about method and apparatus for automatic adaptation of communications systems to regional spectrum variations, wherein, when a mobile computing device (fig. 1, block 10; col. 1, line 67-col. 2, line 20) registered on a wide area cellular system, regularly receives a country code (country domain information) of a cell site in which the mobile computing apparatus is currently located and checks that country code against a previously cell site country code which is stored in memory within the mobile computing device (see entire document, particularly, col. 4, lines 56-63; col. 5, line 36-col. 6, line 10). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above reference with the teaching of

Mansfield for the advantage of automatically reconfiguring a mobile computing device to comply/meet local frequency band variations in the non-licensed frequency band (see col. 3, lines 9-15).

As per claim 9: the feature of claim 9 is similar to the feature of claim 1. In that, the user of the wireless device, in the prior art discussed in the rejection of claim 1 above, can be considered as a mover since he/she carries the device as he/she moves/walks.

As per claim 11: Anderson discloses a system for changing a communication system (abstract, fig. 2) comprising:

a selection unit to select a first wireless communication system from said memory (see abstract, lines 11-16).

Wherein, said selection unit to select and change from said first wireless communication system to an alternative wireless communication system corresponding to a different communication area (see abstract; col. 5, lines 13-18; col. 7, lines 4-13); and wherein said wireless terminal is preparing to enter said different communication area (see col. 2, lines 3-10; col. 4, lines 58-col. 5, line 6). Furthermore, Anderson discloses that the mobile station selects a service (service provider), based on location information it receives from the network (see, particularly, col. 5, lines 13-18). Selection includes selecting alternative wireless communication system.

said wireless terminal to operate on the wireless radio communication system currently selected by said selection unit (see abstract, lines 11-16; col. 2, lines 34-40). But, Anderson does not explicitly teach about a detector to detect a current position of a wireless terminal, corresponding to which a communication area

associated with the current position of the wireless terminal is selected; and further, wherein said detector and said wireless terminal are physically distinct from each other, as claimed by applicant. However, in a related field of endeavor, Hunzinger teaches about a wireless terminal that selects a wireless communication system based on its current location/position (see col. 4, lines 17-27); wherein the position/location information is received/detected from various sources, including GPS which is distinct from the wireless terminal (see col. 4, line 63-col. 5, line 10). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Anderson with that of Hunzinger for the advantage of enabling a mobile station/terminal limit the number of systems required for searching, based on the geographic position of the mobile station (see col. 1, lines 58-63). But, Anderson in view of Hunzinger do not explicitly teach about a memory having previously stored therein information regarding a plurality of wireless communication systems, each corresponding to a particular communication area within a particular country, as claimed by applicant. Mansfield teaches about method and apparatus for automatic adaptation of communications systems to regional spectrum variations, wherein, when a mobile computing device (fig. 1, block 10) registered on a wide area cellular system, regularly receives a country code (country domain information) of a cell site in which the mobile computing apparatus is currently located and checks that country code against a previously **cell site country code** which is **stored in memory** within the mobile computing device (see entire document, particularly, col. 4, lines 56-63; col. 5, line 36-col. 6, line 10). Therefore, it would have been obvious for one of ordinary skill in

the art at the time the invention was made to further modify the above reference with the teaching of Mansfield for the advantage of automatically reconfiguring a mobile computing device to comply/meet local frequency band variations in the non-licensed frequency band (see col. 3, lines 9-15).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references applied to claim 1 above, and further in view of Molne (US 5,999,811).

As per claim 7: the references applied to claim 1 above do not explicitly teach about a radio communication device, further comprising an update unit for updating the domain information, as stored in said memory, and the radio communication system information corresponding to said domain, on the basis of update information stored in a removable memory medium, as claimed by applicant. However, in a related field of endeavor, Molne teaches about a mobile telephone for roaming, wherein a preferred/selection (of service providers/domains) is stored in a SIM card and the list is updateable via air-interface or by a user via keyboard (see entire document, particularly, abstract; fig., element 41; fig. 3; col. 3, lines 33-51). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Molne for the advantage of updating roaming data by both the user and the operator (see col. 3, lines 52-56). It is known that a SIM card is removable.

As per claim 8: Molne teaches a radio communication device, wherein said removable memory medium is a memory disk or a memory card (, abstract; fig. 1, element 41; col. 3, lines 33-51). The SIM card satisfies one of the memory medium required by claim 8.

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references applied to claim 1 above and further in view of Halminen (6,477,378).

As per claim 10: but, the modified reference, discussed in the rejection of claim 1, doesn explicitly teach about a radio communication device, wherein said radio communication system a Bluetooth radio communication system, as claimed by applicant. However, in a related field of endeavor, Halminen teaches that a Bluetooth technology is applicable in a wireless communication network (see figs. 1 and 2; col. 4, lines 4-11, 19-30). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the above references with the teaching of Halminen for the advantage of providing a short range-low power communication service to subscribers/users of a wireless communication service.

Claims 3-6 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Hunzinger and further in view Coursey (US 5,950,130). For examination purpose, claim 15 is considered first.

As per claim 15: the features of claim 15 are similar to the features of claim 11, except one difference. Hence, the similar features of claim 15 are rejected on the same ground and motivation as claim 11. But, regarding the difference feature, the references applied to the rejection of claim 11 do not explicitly teach about displaying information to a user regarding said change from the first wireless communication system to the alternative wireless communication system, as claimed by applicant. However, in a related field of endeavor, Coursey teaches about a method of intelligent roaming wherein a mobile station (fig. 2B) includes a display unit (see fig. 2B, element

65; col. 12, lines 17-46) for displaying system name information, including a service provider name (see claims 15, 29, 45 and 61). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Coursey for the advantage of providing a user of a mobile station a capability for selecting a system, as it roams, changing its current system (see col. 16, lines 27-44).

As per claim 3: Coursey teaches a radio communication device, further comprising an output unit for outputting, when said radio communication system is to be changed, predetermined information on the change of said radio communication system (see abstract; fig. 2B, element 65; col. 12, lines 30-46).

As per claim 4: Coursey teaches about a radio communication device, wherein said radio communication unit includes an information transmission unit for transmitting, when said radio communication system is to be changed to a different radio communication system, information for prompting the change to said different radio communication system, to the other end unit in radio communications (see abstract; col. 34, lines 8-19). Requesting can be considered as prompting, wherein "the other end unit" is considered as or related to an intended/selected service provider.

As per claim 5: the feature of claim 5 is similar to the feature of claim 3. Hence, claim 5 is rejected on the same ground and motivation as claim 3. The mobile can request, receive and display updated information, wherein the information is related to roaming service.

As per claim 6: Coursey teaches about a radio communication device, further comprising an update unit for updating the domain information, as stored in said memory, and the radio communication system information corresponding to said domain, on the basis of update information received by said radio communication unit (see col. 34, lines 8-19).

As per claim 12: Coursey teaches a bout a wireless terminal wherein said detector is being mounted in a vehicle (see col. 1, line 66-col. 2, line 8). According to Coursey's reference, the mobile station includes a location/position detection capability for detecting its location from various sources. The reference also shows that the location system can be installed in a vehicle.

As per claim 13: coursey teaches a display to display information to a user regarding said change from the first wireless communication system to the alternative wireless communication system (see fig. 2B, element 65; col. 12, lines 17-46) for displaying system name information, including a service provider name (see claims 15, 29, 45 and 61).

As per claim 14: Coursey teaches a system wherein said display being mounted in a vehicle (see col. 1, line 66-col. 2, line 8). When the mobile station with a display is adapted/installed in a vehicle, as taught by Coursey, one can say a display is mounted in a vehicle.

Response to Arguments

Applicant's arguments filed on 8/7/06 have been fully considered but they are not persuasive. Applicant's arguments and corresponding examiner's responses are presented below.

Argument I: with regard to claims 1, 9 and 11, applicant argues by saying in Anderson (US 6,148,198), the mobile terminal receives the local service provider information and compares this information with the stored classification data to obtain a preferred provider. The service providers for that particular location are not stored in the mobile terminal nor is domain information regarding a particular country store.

Response I: examiner respectfully disagrees with the argument. In that first, the argument, **"service providers for that particular location are not stored"** (emphasis added) is based on a feature that was not claims in such a particular manner. Second, Anderson's IRDB database (fig. 2, element 38) stores a plurality of service providers (domains) corresponding to coverage areas that are overlapped and/or neutral (not overlapped). Selection is based on service providers' stored particular information (code). Hence, the argument is not persuasive.

Argument II: with regard to the above claims, applicant further argues by saying "the selection of system is not based on the current position, it is determined on availability of the system as it relates to prioritized list.

Response II: examiner respectfully disagrees with the argument. In that, Hunzinger teaches about "Rapid acquisition and system selection of mobile wireless devices using

a system map", wherein the mobile unit determines its geographic position, and based on that position selects the proper service system (see particularly, col. 1, line 67-col. 2, line 2). Hence, the argument is found not to be persuasive.

Argument III: applicant, with regard to the above same claims, still argues further by saying Mansfield does not teach applicants claims that recite "comparing against a plurality of domains or wireless communication systems.

Response III: examiner respectfully disagrees with the argument. In that Mansfield's reference is used to teach about the claimed feature "wherein the domain information are country domain information or administrative domain in individual countries". To that effect, Mansfield teaches about providing a mobile communication device (figs. 1-2) to which a country information (code) is provided as it moves, for instance from France Germany, who have different ISM band (see col. 5, lines 13-60). Thus, the reference shows that Mansfield country code (information) could be used to modify Anderson's code to include a country or countries, as discussed in the rejection of the body of the claims in question.

Argument IV: applicant, with regard to the above claims, further argues by saying Hunzinger's "selection of system is not based on the current position, it is on availability of the system as it relates to a prioritized list.

does not teach

Response IV: examiner respectfully disagrees with this argument. Please refer to Hunzinger's reference (see at least, col. 1, line 67-col. 2, line 2).

Argument V: applicant further argues by saying the Office Action recognizes that Anderson and Hunzinger fail to teach "a memory having previously stored therein information regarding a plurality of wireless communication systems, each corresponding to a particular communication area within a particular country."

Response V: examiner agrees with applicant's assertion and apologizes for the generalized misstatement. Having said that, as can be shown elsewhere in the Office action, Mansfield is used to treat the feature related to '**country information',** the rest, i. e., a memory having previously stored therein information regarding a plurality of wireless communication systems, each corresponding to a particular communication area, is provided by Anderson and Hunzinger. Hence, the argument is not persuasive.

Argument VI: Applicant further argues by saying "Mansfield teaches comparing a country code of a cell site with recently received country code which may be from a different site" as oppose to that of applicant's which compare a plurality of domains or wireless communication system.

Response VI: examiner respectfully disagrees. In that Mansfield teaches comparing a received country code with stored country codes, which are associated with coverage area or wireless communication system. Here, it can be seen that a code is utilized to represent a country, hence functionally equivalent to domain information of a country. The argument is, thus, unpersuasive.

Argument VII: applicant further argues by saying "in Mansfield, the country code corresponds to the position of the cell cite not to the cellular module. Furthermore,

applicant argues by saying "Mansfield does not relate its comparison of the country code to the actual position of the cellular module.

Response VII: examiner respectfully disagrees. In that the country code is related to the cellular module (see figs. 1-2; col. 5, lines 13-35). Hence, the argument is unpersuasive.

Argument VIII: examiner respectfully disagrees with the argument. In that, it is Anderson that relates code with service providers, wherein the code is used for selecting a desirable service provider. Means, the selection is not based on current location. This deficiency is cured by Hunzinger. Furthermore, Mansfield is used to make a connection between code and country. It does not go beyond that, as intended by the arguments.

Argument IX: applicant, by citing the features of claim 15 for which Coursey is not used, argues by saying "applicants respectfully submit that Coursey fails to remedy this deficiency" (see remarks, page 4, 3rd paragraph).

Response IX: examiner respectfully disagrees with this argument. In that Coursey teaches not all of the features of claim 15, as implied by applicnats. It is used to modify the above references (Anderson and Hunzinger) with a display feature for displaying system name (figs. 2B-2C, element 65; at least col. 26, lines 13-31). Hence, argument is not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold, Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

Examiner

08 October 2006.